United States District Court

for the

Northern District of Ohio

Allstates Refractory Contractors, LLC)))
Plaintiff(s) V.)) Civil Action No. 3:21-cv-01864
Martin J. Walsh, in his official capacity; United States Department of Labor; James Frederick, in his official capacity; Occupational Safety and Health Administration))))
Defendant(s))

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Martin J. Walsh

U.S. Department of Labor Office of the Secretary S-2521 200 Constitution Ave. NW Washington, DC 20210

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney,

whose name and address are: Brett A. Shumate

JONES DAY 51 Louisiana Avenue, N.W. Washington, D.C. 20001-2113

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 10/1/2021 SANDY OPACICH, CLERK OF COURT

SANDY OPACICH, CLERK OF COURT

s/Jessica Hancock

Signature of Clerk or Deputy Clerk

Civil Action No. 3:21-cv-01864

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

eccived by the on (aute			
☐ I personally serv	ved the summons on the individual at	(place)	
		on (date)	; or
☐ I left the summo	ons at the individual's residence or us	ual place of abode with (name)	
	, a person	of suitable age and discretion who res	sides there,
on (date)	, and mailed a copy to the	ne individual's last known address; or	
☐ I served the sum	nmons on (name of individual)		, who is
designated by law	to accept service of process on behal	f of (name of organization)	
		on (date)	; or
☐ I returned the su	immons unexecuted because		
Ge	er Fed. R. Civ. P. 4(i)(1)(A) and (i)(1)(rtified mail to the U.S. Attorney for the eneral of the United States. Pursuant	B), I sent a copy of this summons and e Northern District of Ohio and via cer t to Fed. R. Civ. P. 4(i)(2), I also sent a	I the complaint via
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UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

Allstates Refractory Contractors, LLC))
Plaintiff(s)	
V.	Civil Action No. 3:21-cv-01864
Martin J. Walsh, in his official capacity; United States Department of Labor; James Frederick, in his official capacity; Occupational Safety and Health Administration))))
Defendant(s)	,
To: (Defendant's name and address) U.S. Department of Labor 200 Constitution Ave. NW Washington, DC 20210	A CIVIL ACTION
A lawsuit has been filed against you.	
are the United States or a United States agency, or an office	
If you fail to many distance who default will be	entared against you for the relief demanded in the complaint

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 10/1/2021

SANDY OPACICH, CLERK OF COURT

s/Jessica Hancock
Signature of Clerk or Deputy Clerk

Civil Action No. 3:21-cv-01864

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

was re	This summons for <i>(nar ceived by me on (date)</i>	ne of individual and title, if any)		
,, 45 10	cerved by fire on (unit)	··		
	☐ I personally served	the summons on the individual a	t (place)	
			on (date)	; or
	☐ I left the summons	at the individual's residence or us	sual place of abode with (name)	
		, a person	of suitable age and discretion who res	sides there,
	on (date)	, and mailed a copy to the	he individual's last known address; or	
	☐ I served the summo	ons on (name of individual)		, who is
	designated by law to	accept service of process on beha		
			on (date)	; or
	☐ I returned the sumr	nons unexecuted because		; or
	Gene	eral of the United States. Pursuar	(B), I sent a copy of this summons and ne Northern District of Ohio and via cer nt to Fed. R. Civ. P. 4(i)(2), I also sent a Defendant U.S. Department of Labor.	I the complaint via tified mail to the Attorne a copy of this summons
	My fees are \$	for travel and \$	for services, for a total of \$	0.00
Deter		y of perjury that this information	is true.	
Date:			Server's signature	
			Printed name and title	
			Server's address	

United States District Court

for the

Northern District of Ohio

Allstates Refractory Contractors, LLC)		
Plaintiff(s) V.)))	Civil Action No.	3:21-cv-01864
Martin J. Walsh, in his official capacity; United States Department of Labor; James Frederick, in his official capacity; Occupational Safety and Health Administration)))		
Defendant(s))		

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) James Frederick

U.S. Department of Labor Occupational Safety & Health Administration 200 Constitution Ave. NW Washington, DC 20210

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney,

whose name and address are: Brett A. Shumate

JONES DAY

51 Louisiana Avenue, N.W. Washington, D.C. 20001-2113

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

SANDY OPACICH, CLERK OF COURT

s/Jessica Hancock

Signature of Clerk or Deputy Clerk

Civil Action No. 3:21-cv-01864

PROOF OF SERVICE

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was re	This summons for <i>(nar ceived by me on (date)</i>	ne of individual and title, if any)		
	•	·		
	☐ I personally served	the summons on the individual a	· ·	
			on (date)	; or
	☐ I left the summons	at the individual's residence or us	sual place of abode with (name)	
		, a person	of suitable age and discretion who res	sides there,
	on (date)	, and mailed a copy to t	he individual's last known address; or	
	☐ I served the summo	ons on (name of individual)		, who is
	designated by law to	accept service of process on beha		
			on (date)	; or
	☐ I returned the sumr	nons unexecuted because		; or
	Gene	eral of the United States. Pursuar he complaint via certified mail to I		I the complaint via rtified mail to the Attorne a copy of this summons
	My fees are \$	for travel and \$	for services, for a total of \$	0.00
Date:		y of perjury that this information	is true.	
Date.			Server's signature	
			Printed name and title	
			Server's address	

United States District Court

for the

Northern District of Ohio

Allstates Refractory Contractors, LLC)))
Plaintiff(s) V.)) Civil Action No. 3:21-cv-01864
Martin J. Walsh, in his official capacity; United States Department of Labor; James Frederick, in his official capacity; Occupational Safety and Health Administration)))
Defendant(s))

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Occupational Health & Safety Administration U.S. Department of Labor 200 Constitution Ave. NW

Washington, DC 20210

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney,

whose name and address are: Brett A. Shumate JONES DAY

51 Louisiana Avenue, N.W. Washington, D.C. 20001-2113

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Date: 10/1/2021

SANDY OPACICH, CLERK OF COURT

s/Jessica Hancock

Signature of Clerk or Deputy Clerk

Civil Action No. 3:21-cv-01864

PROOF OF SERVICE

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eceived by the on (aate)	·		
☐ I personally serv	ed the summons on the individual at	(place)	
		on (date)	; or
☐ I left the summon	ns at the individual's residence or us	ual place of abode with (name)	
	, a person	of suitable age and discretion who re-	sides there,
on (date)	, and mailed a copy to the	ne individual's last known address; or	
☐ I served the sum	mons on (name of individual)		, who is
designated by law t	to accept service of process on behal	f of (name of organization)	
		on (date)	; or
Other (specify). Per Cer Ge	r Fed. R. Civ. P. 4(i)(1)(A) and (i)(1)(tified mail to the U.S. Attorney for th neral of the United States. Pursuan	B), I sent a copy of this summons and e Northern District of Ohio and via ce t to Fed. R. Civ. P. 4(i)(2), I also sent	d the complaint via rtified mail to the A a copy of this sum
		B), I sent a copy of this summons and e Northern District of Ohio and via ce t to Fed. R. Civ. P. 4(i)(2), I also sent Defendant Occupational Safety & Hea for services, for a total of \$	d the complaint via rtified mail to the A a copy of this sum lth Administration. 0.00
My fees are \$		for services, for a total of \$	
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UNHEEDSTATES TO STRUCTURE FOR THE INDICATE OF THE INDICATE OF

Allstates Refractory Contractors, LLC

Plaintiff

Case No.: 3:21-cv-01864-JZ

vs.

Martin J. Walsh, et al.

Defendant(s)

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

I, Mark A. Russell, Jr., a Private Process Server, being duly sworn, depose and say, I have been duly authorized to make service of the documents listed herein in the above entitled case, I am over the age of eighteen years and am not a party to or otherwise interested in this matter.

DOCUMENT(S): Summons In A Civil Action and Complaint for Declaration and Injunctive Relief

SERVE TO: U.S. Attorney's Office for the Northern District of Ohio, Civil Process Clerk

SERVICE ADDRESS: U.S. Attorney's Office, 801 West Superior Avenue, Suite 400, Cleveland, Ohio 44113-1852

METHOD OF SERVICE: Per COVID-19 service of process protocol, service was completed by mailing a copy of the documents listed herein to U.S. Attorney's Office for the Northern District of Ohio, Civil Process Clerk at U.S. Attorney's Office, 801 West Superior Avenue, Suite 400, Cleveland, Ohio 44113-1852 on 10/04/2021 via United States Postal Service, Certified Mail, Return Receipt Requested. Article Number: 7020 1290 0000 9482 1995. Service was signed for on 10/08/2021, return receipt attached.

I declare under penalty of perjury that this information is true.

2/2021

Executed On

Mark A. Russell, Jr.

Client Ref Number:626165-000001

Job #: 1594497

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
 Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X. M/L (3() C-() Addressee B. Received by (Printed Name) C. Date of Delivery A. Copposition 17 Delivery D. Is delivery address different from item 1? Description 19 Desc
US Attorney's Office for the Northern	If YES, enter delivery address below:
District Ohio, Process Clerk 801 West Superior Avenue, Suite 400 Cleveland, Ohio 44113-1852	3. Service Type □ Priority Mail Express®

USPS Tracking[®]

FAQs >

Track Another Package +

Tracking Number: 70201290000094821995

Remove X

Your item has been delivered to an agent for final delivery in CLEVELAND, OH 44113 on October 8, 2021 at 10:05 am.

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Overage Service Delivery Delivery

October 8, 2021 at 10:05 am CLEVELAND, OH 44113

Get Updates ✓

Text & Email Updates

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Tracking History

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October 8, 2021, 10:05 am

Delivered to Agent for Final Delivery

CLEVELAND, OH 44113

Your item has been delivered to an agent for final delivery in CLEVELAND, OH 44113 on October 8, 2021 at 10:05 am.

October 8, 2021, 8:30 am Arrived at Post Office CLEVELAND, OH 44101

Product Information



See Less ∧

reedback

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Go to our FAQs section to find answers to your tracking questions.

FAQs